

Wisconsin v. Yoder, 406 U.S. 205 (1972)

Condensed Case



The Big Picture

While state laws requiring students to attend high school are generally valid, parental religious rights can justify an exception under special circumstances.

Ruling

A Wisconsin law requiring students to attend school beyond the eighth grade violated Amish families' First Amendment right of free exercise of religion due to the unique and substantial burden that further schooling placed on their faith.

Constitutional Text

Free Exercise Clause of the First Amendment: *Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.*

OPINION OF THE COURT:

[Wisconsin's compulsory school-attendance law requires children under the age of sixteen to attend public or private school. Three Amish families refused to send their children, aged fourteen to fifteen, to public school or private school after completion of the eighth grade.]

A feature of Old Order Amish communities is their devotion to a life in harmony with nature. Broadly speaking, the Old Order Amish religion pervades and determines the entire mode of life of its [followers]. Their conduct is regulated in great detail by the *Ordnung*, or rules, of the church community. Adult baptism, which occurs in late adolescence, is the time at which Amish young people voluntarily undertake heavy obligations [to follow] the rules of the church community.

Amish objection to formal education beyond the eighth grade is firmly grounded in these central religious concepts. [The Amish] object to high school [because] the values [taught] are in marked variance with Amish values and the Amish way of life; they view secondary school education as an impermissible exposure of their children to a "worldly" influence in conflict with their beliefs. [H]igh school tends to emphasize intellectual and scientific accomplishments, self-distinction, competitiveness, worldly success, and social life with other students. Amish society emphasizes informal learning-through-doing; a life of "goodness," rather than a life of intellect; wisdom, rather than technical knowledge, community welfare, rather than competition; and separation from, rather than integration with, contemporary worldly society.

Formal high school education beyond the eighth grade [removes Amish students] from their community, physically and emotionally, during the crucial and formative adolescent period of life.

The Amish do not object to elementary education through the first eight grades as a general proposition because they agree that their children must have basic skills in the "three R's" in order to read the Bible, to be good farmers and citizens, and to be able to deal with non-Amish people when necessary in the course of daily affairs. They view such a basic education as acceptable because it does not significantly expose their



Dissenting Opinion

It is the future of the student, not the future of the parents, that is imperiled by today's decision. If a parent keeps his child out of school beyond the grade school, then the child will be forever barred from entry into the new and amazing world of diversity that we have today. The child may decide that that is the preferred course, or he may rebel. It is the student's judgment, not his parents', that is essential if we are to give full meaning to what we have said about the Bill of Rights and of the right of students to be masters of their own destiny. If he is harnessed to the Amish way of life by those in authority over him and if his education is truncated, his entire life may be stunted and deformed. The child, therefore, should be given an opportunity to be heard before the State gives the exemption which we honor today.

children to worldly values or interfere with their development in the Amish community during the crucial adolescent period.

[In order for Wisconsin to compel school attendance] beyond the eighth grade against a claim that such attendance interferes with the practice of a legitimate religious belief, it must appear either that the State does not deny the free exercise of religious belief by its requirement, or that there is a state interest of sufficient magnitude to override the interest claiming protection under the Free Exercise Clause. Long before there was general acknowledgment of the need for universal formal education, the Religion Clauses had specifically and firmly fixed the right to free exercise of religious beliefs, and buttressing this fundamental right was an equally firm, even if less explicit, prohibition against the establishment of any religion by government.

[H]owever strong the State's interest in universal compulsory education, it is by no means absolute to the exclusion or subordination of all other interests. [T]o have the protection of the Religion Clauses, the claims must be rooted in religious belief.

[The evidence in this case] abundantly supports the claim that the traditional way of life of the Amish is not merely a matter of personal preference, but one of deep religious conviction, shared by an organized group, and intimately related to daily living.

The State attacks [the parent's] position as one fostering "ignorance" from which the child must be protected by the State. No one can question the State's duty to protect children from ignorance, but this argument does not square with the facts. [The evidence] strongly shows that the Amish community has been a highly successful social unit within our society, even if apart from the conventional "mainstream." Its members are productive and very law-abiding members of society; they reject public welfare in any of its usual modern forms.

The record strongly indicates that accommodating the religious objections of the Amish by forgoing one [to two] additional years of compulsory education will not impair the physical or mental health of the child, or result in an inability to be self-supporting or to discharge the duties and responsibilities of citizenship, or in any other way materially detract from the welfare of society.

[Relying on] our consistent emphasis on the values underlying the Religion Clauses in our [constitution], we cannot accept a *parens patriae* claim of such all-encompassing scope and with such sweeping potential for broad and unforeseeable application as that urged by the State.

